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SUBJECT: CANADA: PARALYSIS IN PARLIAMENT -- WHO'S RUNNING THE SHOW?

REF: OTTAWA 001371 AND PREVIOUS.

[11.](#) (SBU) SUMMARY: Canada's House of Commons came to a grinding standstill on May 12, when the opposition Conservative Party and Bloc Quebecois flexed their muscle by adjourning the daily session of Parliament, to the surprise of the ruling Liberal Party. In the wake of a controversial "confidence" vote on May 10, legislative business in the parliament has become increasingly paralyzed, as all four parties (to include the NDP) jockey for tactical advantage in the run-up to an expected confidence vote that the Liberals have set for May 19. The outcome of that vote may hinge on the support of two independent MP's, both of whom have wavered on their support to either the government or the opposition, as well as the health of at least four MP's (one Liberal, two Conservatives, and one independent), and whether any or all of them will be able to be in Ottawa. Although not yet a full-blown constitutional crisis, the Governor General nonetheless has reportedly been seeking the advice of legal experts. Meanwhile, Canada's legislative agenda has been stalled, and new initiatives are handicapped, although day-to-day government services are not threatened. END SUMMARY.

The Confidence Vote that Did, or Did Not, Occur

[12.](#) (SBU) The latest twist in the ongoing political maneuverings in Parliament came in the wake of a Conservative motion that passed on May 10 calling on the Liberals to resign. The motion passed in a dramatic (if not unexpected) vote along strict party lines, with the Conservatives and Bloc using their numerical advantage to defeat the Liberals (supported by the NDP and two independent MP's). The Conservatives and Bloc insisted that this vote was one of non-confidence in the Government, while the Liberals contend that the vote was simply a procedural matter, with Deputy Prime Minister Anne McLellan noting that the Liberals didn't even bother to have their full caucus present for the vote. (Comment: Although the Conservative Party has provided what it considers historical precedent to bolster their case that this was in fact a confidence vote, most experts quoted in the press have supported the Liberal position that it was not an actual confidence vote. END COMMENT.)

[13.](#) (SBU) After the vote, when it was apparent that the Liberals would not heed the call to resign, the Conservatives and Bloc departed the Commons chamber en masse, several stating that Parliament was over, and Harper himself vowing that "additional steps" would be taken to deal with the situation. Those steps became apparent the next day (May 11), when the Conservatives tried (and failed) to shut down Parliament. The Conservatives were more successful yesterday, shutting down the House at 11:00 AM, and catching the Liberals, who were meeting in Cabinet, off-guard, forcing at least one senior member of the party (Justice Minister Irwin Cotler) to scramble back into the house chamber in order to introduce legislation before Parliament adjourned for the day.

[14.](#) (U) More significant than the half-day parliamentary session (with some Conservatives having worn blue jeans in anticipation of an afternoon off), was the negative impact it had on the ongoing legislative business of the House: of 20 committees that were to be held yesterday, only one of those, a meeting over the controversial same-sex marriage issue, went ahead because enough Conservative and Bloc members were in attendance to provide a quorum. Nine other committees were canceled or discussions were held informally, while 10 committees took statements from the public with a bare-bones roster of Liberal and NDP officials listening.

[15.](#) (U) The Conservatives were unapologetic about the boycott of the committee meetings, saying the move to halt the government's operations was a necessary step because the Liberals have lost the confidence of the House of Commons, but are refusing to resign and call an election.

Paralysis? What Paralysis?

16. (U) Despite yesterday's shutdown, the Liberals insist that their government is still at work, with Liberal House Leader Tony Valeri rejecting the notion that there is paralysis in Parliament, which prompted a round of laughter from reporters who had just covered the shutdown of the Commons by the Conservatives. On the opposite side, Bloc Leader Gilles Duceppe (whose party has voted in lock-step with the Conservatives on this issue) says that if there is paralysis in the House, it's the fault of the Liberals. "We're not paralyzing the government. The government is paralyzing the Parliament."

The Confidence Vote that Will, or Will Not, Occur -----

17. (SBU) After the dramatics of May 10, Prime Minister Martin announced on May 11 that a confidence vote on the budget would be held on May 19, noting in his statement to the public that a clear confidence vote was required as a result of recent developments (the "confidence" vote of the previous day). As reported reftel, the Liberals would far prefer to face a defeat over the budget (which they could then use in the ensuing campaign), rather than have to face a defeat on a straight-up confidence vote.

18. (SBU) Despite that announcement, the Conservatives continue to accuse the Liberals of playing games on the timing of the vote itself. Among other charges, the Conservatives allege that the Liberals are seeking to time the vote so that it coincides with medical treatment required by a Conservative MP late next week, a charge the Liberals flatly reject. The Conservatives want the Liberals to move the vote up earlier next week, to allow Conservative MP Darrel Stinson the opportunity to vote, since he's scheduled for cancer treatment on the 19th. The Liberals point out that provincial elections are occurring in British Columbia on May 17, and that the Queen is visiting Canada on May 18, and it would not be appropriate to force a federal election during either of those two events. For his part, Harper has said that he doesn't believe the Liberals will carry through with their promise to allow a confidence vote on May 19.

Crunching the Numbers -----

19. (SBU) Whenever a confidence vote does occur, its outcome will largely hinge on two factors: the attendance of four MP's (two Conservatives, one Liberal and one independent) who have been undergoing medical treatments; and the votes of two independent MP's whose sentiments on this issue have been fluid from week-to-week (if not day-to-day). (To complicate matters, one of the sick MP's, Chuck Cadman, is also one of two undecided independents.) On the medical front, the attendance of MP's is crucial, since proxy votes are not allowed; although NDP Leader Jack Layton has suggested that all sides consider "pairing" votes (in which members from opposite parties agree not to vote, in order to cancel one another out), the Conservatives have rejected this idea, noting that it has been abused in the past. The Conservative's unwillingness to consider the "pairing" option (at least at this point) may suggest that both of the Conservative MP's will be present in Ottawa week. McLellan has already declared that the Liberals will have their full caucus in Ottawa when a confidence vote is held (Natural Resources Minister John Efford missed the May 10 vote, and has been undergoing treatment for diabetes in St. John's, Newfoundland).

110. (SBU) Whether or not Cadman is able to appear, his vote is still considered undecided, since he has flipped-flopped numerous times. More intriguing is the position of independent MP David Kilgour, who recently left the Liberal Party. Although it appeared that he might support the Government, he has publicly criticized the government yesterday over its Sudan aid package. In a not-so-subtle message on the need for Prime Minister Martin to substantially improve the military assistance proposal, Kilgour said that Prime Minister Martin "has a week to do it."

The Role of the Governor General? -----

111. (SBU) With the deteriorating situation in Parliament, Governor General Adrienne Clarkson is reportedly closely following and monitoring the situation, and has been consulting with leading constitutional advisors. Both Harper and Duceppe have both called upon the Governor General to intervene, since the government no longer has the confidence of the House of Commons. Harper said that the period of paralysis "could go on until the government of the Governor General is forced to admit that the government has lost its mandate to govern the country. I don't know how long that will be."

Comment -----

12. (SBU) The battleground continues to shift in Parliament, as all sides struggle to gain tactical advantage. The focus now is on when and how a confidence vote will be held. The Conservatives and Bloc won a small victory with their confidence vote win on May 10, which the Liberals promptly rejected as "procedural." The Liberals then took advantage of Harper's insistence on bringing down the Government at "the earliest possible opportunity" by scheduling a confidence vote on their terms (on the budget) on May 19. The Conservatives (in particular) and Bloc would rather not have to vote down the budget in order to cause the Government to fall, given the negative ramifications that might have on the campaign trail, particularly in voter-rich Ontario province.

13. (SBU) Instead, the Conservatives and Bloc would much prefer to call a non-confidence vote on an opposition day with a motion that refers directly to allegations of Liberal Party corruption and the "Adscam" scandal. That might also make it possible for the NDP to vote with them in bringing down the Government, since Layton has declared that the NDP is supporting the Liberal budget, and not the government itself. All of this puts the Conservatives in the somewhat awkward position of perhaps having to fight their own desire to have a confidence vote at the earliest possible opportunity, in order to have the vote done on their terms (which the Conservatives have noted in the press that they could do (given the Conservative-Bloc numerical advantage in the House)).

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